

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Umar Alli,

Plaintiff,

-against-

Warden Sharlisa Walker, et al.,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 11/16/2023

1:22-cv-07616 (DEH) (SDA)

ORDER


STEWART D. AARON, United States Magistrate Judge:

During the telephone conference on Monday, October 16, 2023, Plaintiff indicated that he sent to the Court a letter in response to prior Orders. (See 10/16/23 Order, ECF No. 47.) The Court has not received such a letter from Plaintiff. Plaintiff's deadline to file a letter providing physical descriptions of the individuals listed in paragraph 1 of the Court's 8/1/23 Order (ECF No. 39, attached hereto as Exhibit 1) is extended from Monday, October 2, 2023 (see 9/13/23 Order, ECF No. 41) until December 15, 2023. If Plaintiff fails to comply with this deadline, he may be precluded from naming such individuals as Defendants.

The Court will enter a further Order with respect to the unidentified defendants and Plaintiff's further amended pleading after the December 15, 2023 deadline has passed.

SO ORDERED.

Dated: New York, New York
November 16, 2023



STEWART D. AARON
United States Magistrate Judge

Exhibit 1

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

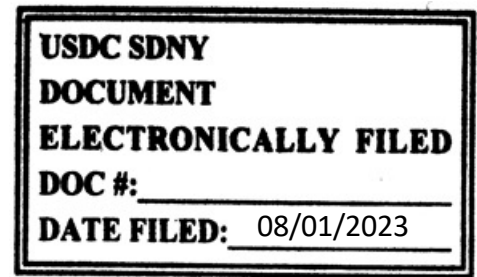
Umar Alli,

Plaintiff,

-against-

Warden Sharlisa Walker, et al.,

Defendants.



1:22-cv-07616 (RA) (SDA)

ORDER

STEWART D. AARON, United States Magistrate Judge:

WHEREAS, on March 26, 2023, this Court issued a *Valentin* Order (3/26/23 *Valentin* Order, ECF No. 27); and

WHEREAS, on May 25, 2023, the New York City Law Department (“Law Department”) filed a letter in “partial response” to the *Valentin* Order (Law Dept.’s 5/25/23 Ltr., ECF No. 30); and

WHEREAS, on June 29, 2023, Plaintiff filed an Amended Complaint adding additional defendants (Am. Compl., ECF No. 32); and

WHEREAS, on July 5, 2023, Plaintiff filed a letter requesting, *inter alia*, a *Valentin* Order for any remaining John Doe defendants (Pl.’s 7/5/23 Ltr., ECF No. 34); and

WHEREAS, on July 13, 2023, this Court issued an Order, directing the Law Department to supplement its response to the March 26, 2023 *Valentin* Order and to ascertain the identities of each additional defendant whom Plaintiff sought to sue in his Amended Complaint, and the address where those defendants may be served (7/13/23 Order, ECF No. 37); and

WHEREAS, on July 31, 2023, the Law Department filed a letter in response to the July 13, 2023 Order. (Law Dept.’s 7/31/23 Ltr., ECF No. 38.)

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. No later than August 22, 2023, Plaintiff shall provide the Law Department, as requested, with a physical description of the following individuals: the “Jane Doe Nurse,” who allegedly failed to report visible injuries; “[a]ll Captains and deputies who worked R.N.D.C. Intake on dates of November 17, 2021, November 18, 2021, and November 19, 2021;” “Housing Area Officers of R.N.D.C. 1 Central South . . .;” “any hospital police and or N.Y.P.D., Police Officers[] and Doctors, and Nurses whom failed to report or intervene in misuse of force on November 22, 2021, at Bellevue Hospital;” the “investigators” who participated in the investigations of the November 11, 17 and 22 alleged uses of force; and any other individuals not yet identified by the Law Department who Plaintiff intends to sue. In addition, Plaintiff shall supply to the Law Department information regarding what the aforementioned individuals are alleged to have done, to the extent not previously provided.
2. No later than September 12, 2023, the Law Department shall file a letter, which shall include: (a) the service address of CO J. Weng;¹ (b) what information, if any, has been obtained regarding the identity of the defendants listed in paragraph 1; and (c) whether an electronic request for a waiver of service can be made on any of the defendants.²
3. No later than October 3, 2023, Plaintiff shall file a Second Amended Complaint naming the John and Jane Doe Defendants, and the Court shall enter an order of service

¹ In its July 31, 2023 Letter, the Law Department indicated that CO J. Weng is no longer an employee for DOC and that it was “still working to confirm CO J. Weng’s service address.” (Law Dept.’s 7/31/23 Ltr. at 3.)

² If the Doe defendant is a current or former DOC employee or official, the Law Department should note in the response to this Order that an electronic request for a waiver of service can be made under the e-service agreement for cases involving DOC defendants, rather than by personal service at a DOC facility. If the Doe defendant is not a current or former DOC employee or official, but otherwise works or worked at a DOC facility, the Law Department must provide a residential address where the individual may be served.

thereafter. Plaintiff is reminded that the Second Amended Complaint will replace, not supplement, the previous complaints and must comply with Federal Rule of Civil Procedure 8.

4. To provide Plaintiff with sufficient time to serve the yet-to-be-served defendants, the Court extends Plaintiff's deadline to serve those defendants to November 30, 2023.
5. This Order amends and supersedes the deadlines set in the 7/13/23 Order.

SO ORDERED.

Dated: New York, New York
August 1, 2023



STEWART D. AARON
United States Magistrate Judge